

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRADLEY D. WOY,

Defendant,

and

BANK OF AMERICA, NA, EXPRESS
WORKING CAPITAL, LLC,
JPMORGAN CHASE BANK, NA,
SENSIBLE INVESTMENTS, LLC, and
UBS FINANCIAL SERVICES, INC.,

Garnishees.

No. **3:11 CV 2006 - M**

APPLICATION FOR WRITS OF GARNISHMENT

The United States of America (United States) applies under 18 U.S.C. § 3613 and 28 U.S.C. §§ 3002, 3202, and 3205 for issuance of Writs of Garnishment for substantial nonexempt property belonging to or due Defendant Bradley D. Woy (Woy), who is a judgment debtor of the United States, and/or his spouse, Krystal C. Woy. These writs are sought in connection with a judgment dated November 3, 2005 for the United States against Woy in criminal case number 3:03-CR-270-02.

Computation of the debt as of August 9, 2011 is:

\$789,100.00 Judgment amount

(\$ 13,933.39) Credits applied to judgment

\$775,166.61 Debt balance

The judgment debtor's full name is Bradley D. Woy, his social security number is 464-51-9829, and last known address is c/o William B. Mateja, Fish & Richardson, Dallas, TX 75201. Not less than 30 days has elapsed since demand on the debtor for payment of the debt was made, and Woy has not paid the amount due. The names and addresses of the garnishees and their authorized agents are:

Bank of America, NA and its affiliates, successors, or assigns
C T Corp. System, Registered Agent
350 N. St. Paul Street, Suite 2900
Dallas, TX 75201

Express Working Capital, LLC and its affiliates, successors, or assigns
C T Corp. System, Registered Agent
350 N. St. Paul Street, Suite 2900
Dallas, TX 75201

JPMorgan Chase Bank, NA and its affiliates, successors, or assigns
C T Corp. System, Registered Agent
350 N. St. Paul Street, Suite 2900
Dallas, TX 75201

Sensible Investments, LLC and its affiliates, successors, or assigns
Bradley D. Woy, Registered Agent
902 Spyglass Cove
Coppell, TX 75019

UBS Financial Services, Inc. and its affiliates, successors, or assigns
Corp. Service, Registered Agent
211 E. 7th Street, Suite 620
Austin, TX 78701

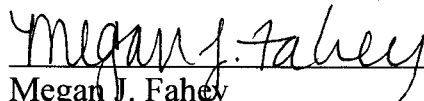
The United States believes the garnishees and their affiliates, successors, or assigns have possession, custody, or control of substantial nonexempt property belonging to or due Woy and/or his spouse, including but not limited to nonexempt disposable earnings. Earnings include wages, salary, commissions, bonuses, and periodic payments from a pension or retirement program. *See* 28 U.S.C. § 3002(6). Disposable earnings are that part of earnings remaining after all deductions required by law have been withheld, such as federal income, Social Security, and Medicare taxes. *See* 28 U.S.C. § 3002(5).

To enforce a judgment, the United States may garnish 25% of nonexempt disposable earnings or the excess of nonexempt disposable earnings over 30 times the federal minimum hourly wage, whichever is less. *See* 15 U.S.C. § 1673; and 28 U.S.C. § 3002(9).

The United States is entitled to a surcharge of 10% of the debt to cover the costs of collecting the debt. *See* U.S.C. § 3011(a).

Respectfully submitted,

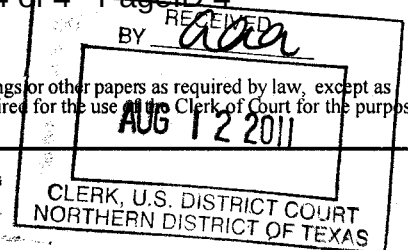
JAMES T. JACKS
UNITED STATES ATTORNEY


Megan J. Fahey
Assistant United States Attorney
Texas State Bar No. 24043655
Burnett Plaza Suite 1700
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Fort Worth, Texas 76102-6882
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Facsimile: 817.252.5459
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JS 44 (TXND Rev. 2/10)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

**I. (a) PLAINTIFFS**

United States of America

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)
Megan J. Fahey, AUSA 817.252.5200
Burnett Plaza Ste 1700, 801 Cherry Street #4
Fort Worth, TX 76102-6882

DEFENDANTS

Bradley D. Woy

County of Residence of First Listed Defendant Dallas
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|----------------------------|---------------------------------------|---|---------------------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input checked="" type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

28 U.S.C. 3205--Garnishment

Brief description of cause:

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 775,166.61 DEMAND \$

CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) (See instructions)

PENDING OR CLOSED:

JUDGE David C. GodbeyDOCKET NUMBER 3:03-CR-270-02DATE 8/11/11

SIGNATURE OF ATTORNEY OF RECORD

Megan J. Fahey

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____